Circular issued by the Commissioner of Police.

195. * MR. A. THANU PILLAI: Will the Government be pleased to state:

(*a*) whether it is a fact that Mr. Pitchu Aiyangar, Commissioner of Police, issued the following circular dated 25-4-1938 to the subordinate Police Officers:

"Among Politicals the movements of T. M. Varghese, Pattom Thanu Pillai, C. Kesavan and C. P. Mathen of Quilon Bank, must be closely watched and reports made from day to day. They should be shadowed not only within the State but outside the State.

2. From communications received from Madras and in view of the large amount of deposits withdrawn from National and Quilon Bank the solvency of the institution has to be seriously suspected. The public should be warned against the danger involved in having pecuniary transactions with the Bank."

(*b*) what is the meaning of the term "politicals" in which it is used in the circular;

(*c*) the facts and circumstances on the basis of which he directed his subordinates to closely watch and shadow the persons mentioned therein;

(*d*) the nature of the communications from Madras, the names of the persons who sent, and those to whom they were addressed, regarding the National and Quilon Bank; and

(*e*) whether it is part of the duties of the Police to warn the public about their pecuniary transactions?

MR. C. O. MADHAVAN: (*a*) Yes.

(*b*) Politicals are presumably those engaged in politics;

(*c*) Evidently the undesirable activities of the persons referred to;

(*d*) These are confidential communications and information gathered by the Police, and cannot be published in public interests.

(*e*) Apparently in the opinion of the Commissioner of Police who issued the circular on his own responsibility the matter was serious enough to warn the public.

MR. A. THANU PILLAI: May I know what the undesirable activities referred to in part (*c*) are?

MR. C. O. MADHAVAN: I am not in a position to disclose what those activities are.

MR. A. THANU PILLAI: At the time the circular was issued, was it Mr. Pitchu Aiyangar that considered the activities undesirable, or the Government.

MR. C. O. MADHAVAN: The Government as well as the Police Commissioner, Mr. Pitchu Aiyangar considered those actitivities as being undesirable.

MR. A. THANU PILLAI: May I take it that the circular was issued by Mr. Pitchu Aiyangar with the knowledge of the Government?

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. C. O. MADHAVAN: All that the Government did was to draw the attention of the Police Commissioner to the necessity for watching the activities of the individuals concerned. The Government did not ask the Police Commissioner to issue any circular.

MR. A. THANU PILLAI: The answer to part (*c*) refers to 'undesirable activities' of certain persons. I want to know which activities of those persons have been considered undesirable.

MR. C. O. MADHAVAN: Even at the outset I stated that I am not in a position to mention what those activities were? I have nothing more to add now.

MR. A. THANU PILLAI: Am I to take it that the Government are not prepared to disclose those activities?

MR. C. O. MADHAVAN: I am sorry I cannot give more details regarding the information available to the Government.

PRESIDENT: I take it that the Government have indicated their idea of these activities.

MR. C. O. MADHAVAN: Yes, Sir.

MR. A. THANU PILLAI: With reference to the answer to part (*b*) may I know whether, according to the Government, any person engaged in politics can be considered a 'political'?

MR. C. O. MADHAVAN: It depends on the nature of such political activities.

MR. A. THANU PILLAI: The answer says..... ...

"(*b*) Politicals are presumably those engaged in politics".

That is why I want to know whether all persons engaged in politics will be regarded as 'politicals'.

PRESIDENT: Does not that word occur in that circular?

M. C. O. MADHAVAN: Yes, Sir.

MR. A. THANU PILLAI: It is admitted that an officer of the Government is responsible for that circular.

PRESIDENT: Is the Government responsible for that circular?

MR. C. O. MADHAVAN: No, Sir.

MR. A. THANU PILLAI: I assume that what is done by a Government Officer, Government ought to take the responsibility for.

PRESIDENT: It has been stated that the circular in question was issued by that officer on his own responsibility. Therefore, the question of construing the word 'politicals' occurring in that circular is a matter for the author of the circular, and not for the Government.

MR. A. THANU PILLAI: In regard to part (*c*) of my question to which the present statement of the Chair relates, I quite see that some information which I did not ask for has been volunteered. But what I want to know is whether any person engaged in politics can be considered a 'political', according to the Government. That is very simple question, capable of a definite answer.

MR. C. O. MADHAVAN: In one sense that is correct.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. A. THANU PILLAI: May I therefore take it that the members of the Legislature are also considered 'politicals'?

MR. C. O. MADHAVAN: That inference does not follow from my answer.

MR. A. THANU PILLAI: Assuming that the members of the Legislature are engaged in politics, I wish to know whether any honourable member can be considered to be a 'political'.

MR. C. O. MADHAVAN: I have already stated, Sir, that in one sense all persons engaged in political activities may be called 'politicals'.

MR. A. THANU PILLAI: My question is whether it is part of the duties of the Police to warn the public about their pecuniary transactions. The answer is—

"(e) Apparently in the opinion of the Commissioner of Police who issued the circular on his own responsibility the matter was serious enough to warn the public".

My position is.....

PRESIDENT: We are now at "Questions and Answers"; This is not the time intended for elucidation of any honourable member's own position. It is quite open to the honourable member to put questions.

MR. A. THANU PILLAI: I want a clear answer for my simple question whether, according to the Government it is part of the duties of the Police to warn the public about their pecuniary transactions.

MR. C. O. MADHAVAN: It has not been laid down as one of the duties of the Police but any public spirited gentleman is free to draw the attention of the public to any probable danger. All that I can say now is that the Police Commissioner thought it fit to give such a warning, but I do not say that Government fully approve of that act on his part.

MR. A. THANU PILLAI: Seeing that the Chief Secretary says that the Police Commissioner was not fully justified, I wish to know whether Government think that he was justified to any extent?

MR. C. O. MADHAVAN: As I explained in the first part of my answer, he thought it in the public interest to give such a warning to the public and he did it.

MR. A. THANU PILLAI: Sir, I wish to know whether the Police Commissioner or any member of the Police Force has at any time before or after this circular given any warning to the public about their financial or pecuniary transactions?

MR. C. O. MADHAVAN: I have no information on that point.

PRESIDENT: Was this circular sent out to the public?

MR. C. O. MADHAVAN: No, Sir. It was a confidential circular issued to the officers under him.

MR. A. THANU PILLAI: I wish to know how the police acted up to this circular in giving warning to the public.

MR. C. O. MADHAVAN: Government have no information on that point.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. A. THANU PILLAI: May I know whether Government have called for any report from the Police Commissioner in regard to this circular?

MR. C. O. MADHAVAN: No, Sir.

MR. A. THANU PILLAI: May I know when Government got information about this circular?

MR. C. O. MADHAVAN: It was early in May.

MR. A. THANU PILLAI: May I know how they got the information?

MR. C. O. MADHAVAN: One of the Directors of the Bank gave the information.

MR. A. THANU PILLAI: May I know whether Government took any action on the issue of that circular by the Police Commissioner?

MR. C. O. MADHAVAN: It was news to Government when they heard about the circular and the Police Commissioner was sent for and questioned about it.

MR. A. THANU PILLAI: I wish to know whether they approved of the conduct of the Police Commissioner or disapproved it.

MR. C. O. MADHAVAN: I have already answered that question.

MR. M. SIVATHANU PILLAI (*Thovala* cum *Agastiswaram*): I would like to know whether Government are aware that at the time the Travancore National and Quilon Bank by means of a notice closed their offices till the 1st July they sent a message or a wire to H. E. the Viceroy.

PRESIDENT: Order, order. How does it arise here?

MR. M. SIVATHANU PILLAI: In reference to part (*d*) of the question, there was a notification by the authorities of the Bank in front of their offices that about the 1st July their offices will be reopened.

PRESIDENT: Order, order. The question does not arise out of these questions and answers. Whether any such communication was sent to the Viceroy is a matter of which this Government has absolutely no knowledge. How some gentlemen send a letter on to the Viceroy and what the Viceroy does on it is not relevant here.

MR. M. SIVATHANU PILLAI: I wish to know whether a letter was sent by the authorities of the Bank to the Viceroy to help the Bank.

PRESIDENT: Order, order. This again is entirely irrelevant and proceeds both on impossibility and irrelevancy. It is impossible that such a letter should be sent and it is irrelevant because it does not arise out of this question.

MR. M. SIVATHANU PILLAI: May I know whether there is any truth in the report that the Reserve Bank is going to conduct an enquiry into the affairs of the Travancore National and Quilon Bank?

PRESIDENT: Order, order. This again is irrelevant and the matter is *sub judice*. The whole question will have to be discussed and decided by the Quilon Court, the sole court having jurisdiction in the matter.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. M. SIVATHANU PILLAI: A word of personal explanation, Sir. In the interest of the people who have transactions with the Travancore National and Quilon Bank.....

PRESIDENT: Order, order. The question before the House is one relating to Mr. Pitchu Aiyangar and some circular issued by him. Whether the Bank applied for help to the Reserve Bank or what the Reserve Bank did or will do or will not do, are things which do not arise out of this question.

MR. M. SIVATHANU PILLAI. Sir, I gather from the answer to part (*d*) of the question that evidently some action has been taken by the Police Commissioner. I would like to know whether it is in the interest of the clientele of the Travancore National and Quilon Bank.....

PRESIDENT: It has been stated in the answer to part (*d*) of the question that these are confidential communications and information gathered by the Police, and cannot be published in public interests. And, under our rules no discussion shall be permitted in respect of any answer given to a question. To allow the questions of the honourable member will be to allow discussion in the guise of a question on certain matters which arise out of this answer and that is not allowable under the rules.

MR. M. SIVATHANU PILLAI: With regard to the report outwardly spread that the Bank is going to be reconstructed, I would like to know whether Government are aware of any steps taken in that direction.

PRESIDENT: Order, order, order. Who is going to reconstruct the Bank, what are the steps taken in that direction, these are all matters to be decided in courts and nowhere else That is a matter which is *sub judice* and the question therefore does not arise.

MR. M. SIVATHANU PILLAI: I would like to know whether Government have got any idea of the truth or otherwise of this report.

PRESIDENT: Order, order. The question is wholly irrelevant The question will be decided by the Court on materials to be placed before it by the persons interested in the matter. It is *sub judice.*

MR. M. L. JANARDANA PILLAI (*Nominated*): May I know whether Government are now satisfied by actual experience subsequently that the circular was justified?

MR. C. O. MADHAVAN: Yes, Sir. Government now think that the Police Commissioner cannot wholly be blamed for the circular issued by him.

MR. K. G. KUNJUKRISHNA PILLAI (*Neyyattinkara* cum *Trivandrum*): With reference to part (*e*) is there anything wrong, Sir, in the Police Commissioner warning the public when there is some danger either pecuniary or otherwise?

MR. C. O. MADHAVAN: That is rather a complicated question. If the Police Commissioner does any such thing without sufficient justification, it is likely that the interests concerned may have a legitimate room for complaint. But in this particular case it is otherwise.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. K. T. THOMAS: May I know from the Government member the circumstances in the light of which Government say that they feel that the Police Commissioner was justified in issuing the circular?

MR. C. O. MADHAVAN: The circumstances are before the whole world now.

MR. K. T. THOMAS: May I know from the Government what those circumstances are? I am not concerned whether they are before the whole world.

MR. C. O. MADHAVAN: If the honourable member does not know, I may say that the liquidation proceedings now started in a way justify the action of the Police Commissioner.

MR. K. T. THOMAS: May I know from the Government member, whether Government consider the watching and shadowing of the movements of Messrs. T. M. Varughese, Pattom Thanu Pillai and C. Kesavan is justified by the subsequent events regarding the Travancore National and Quilon Bank?

MR. C. O. MADHAVAN: Sir, there is no connection between the two parts of the circular.

MR. P. SIVARAMA PILLAI: May I know whether these politicals are members of the State Congress?

MR. C. O. MADHAVAN: The names are there and the House knows who are the members of the State Congress.

MR. E. JOHN PHILIPOSE (*Thiruvalla*): I should like to know whether Government has any definite idea about the meaning of the turm "politicals".

MR. C. O. MADHAVAN: It has been given in the printed answer.

MR. E. JOHN PHILIPOSE: I should like to know why they consider it necessary to introduce the word "presumably". Is it because that Government have no definite idea?

MR. C. O. MADHAVAN: The circular was issued by the Police Commissioner and Government are giving a plausible explanation for the expressions used.

MR. E. JOHN PHILIPOSE: I should like to know whether even now Government have any idea of what 'politicals' mean.

PRESIDENT: Order, order. The question whether Government will consult a dictionary and give the meaning of the word does not arise.

MR. E. JOHN PHILIPOSE: I should like to know whether Government have any idea of the duties of the Police?

MR. C. O. MADHAVAN: Before Police Officers are appointed Government have definite ideas as to their duties.

MR. M. SIVATHANU PILLAI: On a point of order. I wish to know whether it is seeking for information.

PRESIDENT: It is.

MR. E. JOHN PHILIPOSE: I should like to know whether Government think that issuing circulars of this nature constitutes part of the duties of the Police.

LIBRARY ARCHIVES Kerala Legislative Assembly

MR. C. O. MADHAVAN: If there are justifiable circumstances under which the Police Commissioner or any other Police Officer issues a confidential circular of this nature.

MR. E. JOHN PHILIPOSE: Does Government know that the issue of this circular to a certain extent contributed to the result which is now sought to justify the issue of the circular?

MR. C. O. MADHAVAN: It is not so.

MR. T. M. VARUGHESE (*Pattanamtitta*): May I know from the Chief Secretary, with regard to part (*a*) what the result of the watching and shadowing referred to therein is?

MR. C. O. MADHAVAN: The result is confidential and cannot be disclosed.

MR. T. M. VARUGHESE: Will the gentlemen referred to therein be given the benefit of the watching and shadowing so that they might take advantage of it and desist from their undesirable activities?

MR. C. O. MADHAVAN: Each of them is responsible for his own actions, Sir.

MR. T. M. VARUGHESE: My question is whether the Government will be prepared to tell this House the result of their watching and shadowing referred to in part (*a*) of the question.

MR. C. O. MADHAVAN: What the member wants to know is whether I would disclose to the House what I have already said is of a confidential nature. I cannot do it.

MR. M. G. MATTHEW: Will the Government inform the gentlemen whose names are mentioned in the question the result of the watching and shadowing?

MR. C. O. MADHAVAN: If the individual members apply to Government, they will then consider the desirability of doing it.

MR. K. R. NARAYANAN (*Vaikom* cum *Kottayam*): മി: സി കേശവൻ ഇപ്പോൾ എവിടെയാണെന്ന് ഗവണ്മെൻറിനു അറിയാമോ?

MR. C. O. MADHAVAN: No information, Sir.

MR. K. R. NARAYANAN: ഈ മാതിരിയുള്ള അന്വേഷണത്തിൻപ്രകാരം ചെലവാക്കുന്നതു ഏതു് ഡിപ്പാർട്ടുമെൻറിൽ നിന്നാണെന്നു പറയുവാൻ കഴിയുമോ?

PRESIDENT: That question does not arrise.

Assistant Superintendents and District Superintendents of Police.

196. *MR. THARIATHU KUNJITHOMMEN (*Muvattupuzha* cum *Devicolam*): Will the Government be pleased to lay on the table:

(*a*) a statement, by caste, of Assistant Superintendents and District Superintendents of Police who are now in service; and

(*b*) a statement, by caste, of those who were appointed as Assistant Superintendents and District Superintendents of Police during the last 3 years ending the 1st Mithunam 1113?

LIBRARY ARCHIVES Kerala Legislative Assembly